

CONTROLLING OFFICER'S REPLY

DEVB(PL)376

(Question Serial No. 5829)

Head: (91) Lands Department
Subhead (No. & title): (-) Not Specified
Programme: (1) Land Administration
Controlling Officer: Director of Lands (Ms. Bernadette LINN)
Director of Bureau: Secretary for Development

Question (Member Question No. 373):

Regarding the case of Gig Lok Monastery found to have unlawfully occupied government land for columbarium use since 2010, please provide the following details:

- i) How many site inspections has the Lands Department conducted?
- ii) How large in size is the government land confirmed to have been unlawfully occupied?
- iii) How many land control actions have been taken and how many statutory orders issued? Have all the demolition orders expired? What are the details?
- iv) Have all the statutory orders been complied with, for example, demolition of all the structures on government land? If not, what follow-up actions will the Government take? Will the unlawful occupier(s) be prosecuted?

Asked by: Hon. CHAN Ka-lok, Kenneth

Reply:

The responses to the four questions are as follows:-

- i) 55 site inspections to Gig Lok Monastery (GLM) have been conducted by District Lands Office/Tuen Mun (DLO/TM) since 2010.
- ii) About 1 280 square metres (m²) of government land was found occupied by GLM at the date of first discovery, and currently about 140 m² of government land is found to be occupied by GLM.
- iii) DLO/TM issued a total of seven statutory notices under the Land (Miscellaneous Provisions) Ordinance (Cap. 28), requiring GLM to cease occupation of government land, and all of them have expired.

- iv) Of the seven statutory notices issued, three posted on the unauthorised structures erected on government land have been complied with. Four notices posted on the government land portion of the unauthorised structure which straddles government land and the private land owned by GLM have not been complied with.

GLM was prosecuted by the Government and fined by the Court (for \$13,200, \$10,000 and \$8,000 respectively) for the non-compliance of three notices. DLO/TM has already commenced a fresh round of prosecution action against the non-compliance of the latest notice posted on site.

The Lands Department will continue to closely monitor this case and take appropriate legal action.